

MESSAGE.

STATE DEPARTMENT, Annapolis, Md.

January 11th, 1850.

To the House of Delegates :

I herewith transmit the accompanying papers having reference to two several cases, arising under the Constitution of the United States, and the Act of Congress, approved on the twelfth of February, seventeen hundred and ninety-three, in relation to the re-capture of fugitives from service and labor.

From the first of these papers, it will be perceived that a negro man named Joseph Belt, the slave of John Lee, Esq., a citizen of Frederick county, who had previously absconded from the service of his master, was arrested in the city of New York, on or about the twentieth day of December 1848, and immediately thereafter, and before his removal to this State, was taken from the custody and possession of Mr. Lee, under and by authority of a writ of *Habeas Corpus*, issued by one of the Justices of the Supreme Court of the State of New York. It will further appear, that at the hearing of the case, although the property, in the slave, was clearly established by the confessions of the negro himself, and by the testimony of competent witnesses, proof was required by the Court to be presented, that Slavery was authorised by the Laws of Maryland ; and, although the evidence of that fact was supplied, both by the oral testimony of witnesses, and by the production of the printed Statutes of the State, such as are read in our own Courts, that evidence was rejected, and the respondent was held to furnish as the only legal and admissible evidence, a copy of the law itself under the certificate of the Governor and Seal of the State. Such evidence not being at hand, the Slave was forthwith discharged, and his owner, under color of law, deprived of his property, in manifest violation of the Constitution of the United States, and the Act of Congress, above referred to. This extraordinary decision, in derogation as it is, of the plain meaning and intendment of the Constitution, and designed, as it doubtless